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PATENT
Attorney Docket No. LEX-007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gillies *et al.* CONFIRMATION NO.: 3473
SERIAL NO.: 09/621,268 GROUP NO.: 1642
FILING DATE: July 21, 2000 EXAMINER: K. Canella, Ph.D.
TITLE: Fc Fusion Proteins for Enhancing the Immunogenicity of Protein and Peptide Antigens

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20th day of November, 2003.



Irja Zarembok

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are:

1. Transmittal Form (1 page);
2. Fee Transmittal (1 page);
3. A check in the amount of \$180.00;
4. Second Supplemental Information Disclosure Statement (2 pages);
5. Form PTO-1449 (2 pages);
6. References Labeled A59-A74, B94-B104 and C169-C179; and
7. a return receipt postcard.

NOV 24 2003



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APPLICANTS: Gillies *et al.*

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EXAMINER: K. Canella, Ph.D.

FC Fusion Proteins for Enhancing the Immunogenicity of Protein and Peptide Antigens

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

Testa, Hurwitz & Thibeault, LLP
125 High Street
Boston, MA 02110

Testa, Hurwitz & Thibeault, LLP
125 High Street
Boston, MA 02110

226

Serial No. 09/621,268

Date:

November 18, 2003

5-39110

Date:

November 18, 2003

Pay: One hundred eighty and 00/100

PAY
TO THE
ORDER OF: Director of U.S. Patent & Trademark Office

Testa, Hurwitz & Thibeault, LLP

(D/P) DRAFTED

SECURITY FEATURES INCLUDED: DETAILS ON BACK.

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Joseph J. Hurwitz
FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

spondence, and any document(s) referred to as enclosed
United States Postal Service as first class mail, postage
the Commissioner for Patents, P.O. Box 1450, Alexandria,
November, 2003.

Irja Zarembok

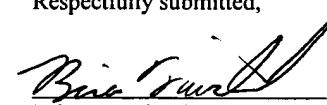
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74, B94-B104 and C169-C179; and

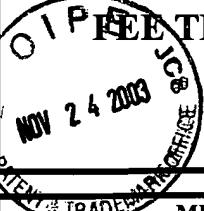


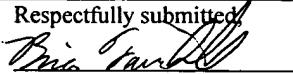
TRANSMITTAL FORM

	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Serial No.:</td><td style="padding: 2px;">09/621,268</td></tr> <tr> <td style="padding: 2px;">Filing Date:</td><td style="padding: 2px;">July 21, 2000</td></tr> <tr> <td style="padding: 2px;">First Named Inventor</td><td style="padding: 2px;">Gillies</td></tr> <tr> <td style="padding: 2px;">Group Art Unit</td><td style="padding: 2px;">1642</td></tr> <tr> <td style="padding: 2px;">Examiner Name</td><td style="padding: 2px;">K. Canella, Ph.D.</td></tr> <tr> <td style="padding: 2px;">Attorney Docket No.</td><td style="padding: 2px;">LEX-007</td></tr> </table>	Application Serial No.:	09/621,268	Filing Date:	July 21, 2000	First Named Inventor	Gillies	Group Art Unit	1642	Examiner Name	K. Canella, Ph.D.	Attorney Docket No.	LEX-007
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ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>)	
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____]	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	<input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (<i>please identify below</i>)	
<input checked="" type="checkbox"/> Second Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> PTO-1449 <input checked="" type="checkbox"/> Copy of SIDS Citations (A59-A74; B94-B104; C169-C179) <input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Response to Missing Parts/Incomplete Application		

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Respectfully submitted,  Brian A. Fairchild, Ph.D. Agent for Applicant Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110

 FEET TRANSMITTAL FY 2003		<i>Complete if Known</i>	
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METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																									
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th colspan="2"></th> </tr> <tr> <th>Fee (\$)</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid (\$)</th> </tr> </thead> <tbody> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>Request for ex parte reexamination</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>410</td> <td>205</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>930</td> <td>465</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1450</td> <td>725</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1970</td> <td>985</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>320</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>320</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>280</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of Information Disclosure Statement</td> <td>180.00</td> </tr> <tr> <td>750</td> <td>375</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>750</td> <td>375</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>100</td> <td>100</td> <td>Certificate of Correction for applicant's error</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Submission of Terminal Disclaimer</td> <td></td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td colspan="2"></td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td colspan="2"></td> </tr> </tbody> </table>		Large Entity	Small Entity			Fee (\$)	Fee (\$)	Fee Description	Fee Paid (\$)	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		110	55	Extension for reply within first month		410	205	Extension for reply within second month		930	465	Extension for reply within third month		1450	725	Extension for reply within fourth month		1970	985	Extension for reply within fifth month		320	160	Notice of Appeal		320	160	Filing a brief in support of an appeal		280	140	Request for oral hearing		130	130	Petitions to the Commissioner		180	180	Submission of Information Disclosure Statement	180.00	750	375	Filing a submission after final rejection (37 CFR 1.129(a))		750	375	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		110	55	Submission of Terminal Disclaimer		Other fee (Specify)				Other fee (Specify)			
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2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.																																																																																											
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TITLE: Fc Fusion Proteins for Enhancing the Immunogenicity of Protein and Peptide Antigens

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
 - the requisite Statement is below, **OR**
 - the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

Second Supplemental Information Disclosure Statement

Atty Docket No. LEX-007

Serial No. 09/621,268

Page 2 of 2

- (3) after the mailing date of a **final action or notice of allowance** but before the payment of the **issue fee**, **AND**
 - the requisite Statement is below, **AND**
 - the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

Applicants believe no additional fee is required at this time. Nevertheless, please charge any additional fees to Deposit Account 20-0531.

Respectfully submitted,



Brian A. Fairchild, Ph.D.

Agent for Applicant

Testa, Hurwitz & Thibeault, LLP

125 High Street

Boston, Massachusetts 02110

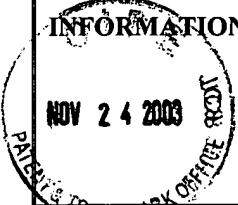
Date: November 20, 2003

Reg. No. 48,645

Tel. No.: (617) 248-7697

Fax No.: (617) 248-7100

2713305

FORM PTO - 1449 INFORMATION DISCLOSURE STATEMENT 		ATTORNEY DOCKET NO.: LEX-007 APPLICANT(S): Gillies et al. SERIAL NO.: 09/621,268 FILING DATE: July 21, 2000 GROUP: 1646					
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U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A59	5,856,298	1/5/99	Strickland			
	A60	6,617,135	9/9/03	Gillies et al.			
	A61	2002/0081664 A1	6/27/02	Lo et al.			10/11/01
	A62	2002/0147311 A1	10/10/02	Gillies et al.			2/9/01
	A63	2002/0193570 A1	12/19/02	Gillies et al.			12/4/01
	A64	2003/0044423 A1	3/6/03	Gillies et al.			3/7/02
	A65	2003/0049227 A1	3/13/03	Gillies et al.			6/29/01
	A66	2003/0105294 A1	6/5/03	Gillies et al.			2/24/99
	A67	2003/0157054 A1	8/21/03	Gillies et al.			5/3/02
	A68	2003/0166163 A1	9/4/03	Gillies			12/4/02
	A69	2003/0166877 A1	9/4/03	Gillies et al.			3/29/02
	A70	6,485,726 B1	11/26/02	Blumberg et al.			
	A71	6,475,717 B1	11/5/02	Enssle et al.			
	A72	6,335,176 B1	1/1/02	Inglese et al.			
	A73	2002/0192222 A1	12/19/02	Blumberg et al.			12/19/02
	A74	2001/0053539 A1	12/20/01	Lauffer et al.			12/20/01

FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B94	WO 01/58957 A2	8/16/01	PCT					Y
	B95	WO 02/02143 A2	1/10/02	PCT					Y
	B96	WO 02/072605 A2	9/19/02	PCT					Y
	B97	WO 02/079232 A2	10/10/02	PCT					Y
	B98	WO 02/079415 A2	10/10/02	PCT					Y
	B99	WO 02/090566 A2	11/14/02	PCT					Y
	B100	WO 03/048334 A2	6/12/03	PCT					Y
	B101	WO 03/077834 A2	9/25/03	PCT					Y

NOV 24 2003

SHEET 2 of 2

B102 FOREIGN PATENT DOCUMENTS										
EXAM. INIT.	B102 INITIAL NUMBER	DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)	
	B102	WO 02/066514 A2	8/29/02	PCT					Y	
	B103	WO 01/36489 A2	5/25/01	PCT					Y	
	B104	1 088 888 A1	4/4/01	EP					Y	
OTHER ART, JOURNAL ARTICLES, ETC.										
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)									
	C169	Boissel et al., (1993), "Erythropoietin Structure-Function Relationships," <u>The Journal of Biological Chemistry</u> , 268:15983-15993.								
	C170	Wen et al., (1993), "Erythropoietin Structure-Function Relationships: High Degree of Sequence Homology Among Mammals," <u>Blood</u> , 82:1507-1516.								
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EXAMINER					DATE CONSIDERED					

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